

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX
2012 NOV 27 PM 8:25
CLERK, U.S. BANKRUPTCY
COURT

GENERAL ORDER 12-1

BY _____ DEPUTY

ADOPTION OF AMENDMENTS TO INTERIM BANKRUPTCY RULE 1007-I

By General Order dated December 8, 2008, this Court adopted Interim Bankruptcy Rule 1007-I, and by General Order dated December 1, 2010, this Court adopted amendments to Interim Bankruptcy Rule 1007-I to conform to an amendment to Bankruptcy Rule 1007. In recognition that Federal Rule of Bankruptcy Procedure 1007 will be amended again effective December 1, 2012, and in order to conform Interim Bankruptcy Rule 1007-I to such amendment, the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States has prepared and recommended adoption of amendments to Interim Rule 1007-I (a copy of which is attached to this Order) pursuant to the authority granted to local bankruptcy courts to adopt local rules under Rule 9029 of the Federal Rules of Bankruptcy Procedure.

IT IS THEREFORE ORDERED that General Orders 08-4 and 10-2 are supplemented and amended as set forth in this Order;

IT IS FURTHER ORDERED that Interim Bankruptcy Rule 1007-I, including the amendments to Interim Bankruptcy Rule 1007-I, as approved by the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, is hereby **ADOPTED** in its entirety without change, as a subset of the Local Rules of Bankruptcy Procedure, to become effective on December 1, 2012.

November 27, 2012

Brenda T. Rhoades

THE HONORABLE BRENDA T. RHOADES
CHIEF U.S. BANKRUPTCY JUDGE

15 (c) TIME LIMITS. In a voluntary case, the schedules,
16 statements, and other documents required by subdivision (b)(1), (4),
17 (5), and (6) shall be filed with the petition or within 14 days
18 thereafter, except as otherwise provided in subdivisions (d), (e), (f),
19 (h), and (n) of this rule. In an involuntary case, ~~the list in~~
20 ~~subdivision (a)(2), and~~ the schedules, statements, and other
21 documents required by subdivision (b)(1) shall be filed by the
22 debtor within 14 days of the entry of the order for relief. In a
23 voluntary case, the documents required by paragraphs (A), (C), and
24 (D) of subdivision (b)(3) shall be filed with the petition. Unless
25 the court orders otherwise, a debtor who has filed a statement under
26 subdivision (b)(3)(B), shall file the documents required by
27 subdivision (b)(3)(A) within 14 days of the order for relief. In a
28 chapter 7 case, the debtor shall file the statement required by
29 subdivision (b)(7) within 60 days after the first date set for the
30 meeting of creditors under § 341 of the Code, and in a chapter 11 or
31 13 case no later than the date when the last payment was made by
32 the debtor as required by the plan or the filing of a motion for a
33 discharge under § 1141(d)(5)(B) or § 1328(b) of the Code. The
34 court may, at any time and in its discretion, enlarge the time to file
35 the statement required by subdivision (b)(7). The debtor shall file
36 the statement required by subdivision (b)(8) no earlier than the date
37 of the last payment made under the plan or the date of the filing of a

38 motion for a discharge under §§1141(d)(5)(B), 1228(b), or 1328(b)
39 of the Code. Lists, schedules, statements, and other documents
40 filed prior to the conversion of a case to another chapter shall be
41 deemed filed in the converted case unless the court directs
42 otherwise. Except as provided in § 1116(3), any extension of time
43 to file schedules, statements, and other documents required under
44 this rule may be granted only on motion for cause shown and on
45 notice to the United States trustee, any committee elected under
46 § 705 or appointed under § 1102 of the Code, trustee, examiner, or
47 other party as the court may direct. Notice of an extension shall be
48 given to the United States trustee and to any committee, trustee, or
49 other party as the court may direct.

50 * * * * *

51 (n) TIME LIMITS FOR, AND NOTICE TO, DEBTORS
52 TEMPORARILY EXCLUDED FROM MEANS TESTING.

53 (1) An individual debtor who is temporarily excluded from
54 means testing pursuant to § 707(b)(2)(D)(ii) of the Code shall file
55 any statement and calculations required by subdivision (b)(4) no
56 later than 14 days after the expiration of the temporary exclusion if
57 the expiration occurs within the time specified by Rule 1017(e) for
58 filing a motion pursuant to § 707(b)(2).

59 (2) If the temporary exclusion from means testing under
60 § 707(b)(2)(D)(ii) terminates due to the circumstances specified in

61 subdivision (n)(1), and if the debtor has not previously filed a
62 statement and calculations required by subdivision (b)(4), the clerk
63 shall promptly notify the debtor that the required statement and
64 calculations must be filed within the time specified in subdivision
65 (n)(1).